SINGLE BENCH

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[1]

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 3644 **/ 2005**

PETITIONER : Ravindra Kumar Mishra
S/o Late Shri Pradhan Mishra,
aged about 65 years,
R/o 25, Vidya Nagar Colony,
Katulbord, Bhilai,Distt. Durg
(C.G.)

VERSUS

RESPONDENTS: Municipal Corporation Durg,
Through the Commissioner
Municipal Corporation Durg

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA

Petitioner

SINGLE BENCH

Writ Petition U/A 226 and 227 of the constitution of India.

OTHER MATTER

C.G. Municipal Corporation Act, 1956

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No 23644 against the order dt. 23-7-05

मामला क्रमांक ..... सन् 2005

~~Ravindra~~ Ravindra Kumar Mishra विरुद्ध Municipal Corporation, Durg

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में ~~[illegible]~~ के अन्तिम
8-8-05	When the matter is called out, none present on behalf of the petitioner(s). No representation is made. The writ petition is dismissed for non-prosecution. Consequently, M.(W)P. No. 3067/2005 stands disposed of. Sd/- L.C. Bhadoo Judge	Pet Fre wit by it b

Sonu

XI-HC-22

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...WP/3644/... सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Later on

Heard Mr. Ajay Shrivastava, counsel for the petitioner, on admission.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned the legality and propriety of notice No.231 dated 23-7-2005 (Annexure P-5) and notice No.232 dated 23-7-2005 (Annexure P-6) passed by the respondent, whereby the petitioner has been asked to remove construction, as the same is illegal.

The petitioner's case is that he took the permission Annexure P-1 on 22-4-1989 to construct the house, and the respondent, while giving notice Annexure P-5 without hearing the petitioner and allowing him to make his submissions, issued the order Annexure P-6 on the same day for removing the structure.

In the circumstances, the petitioner is directed to submit his representation/explanation before the respondent within a period of seven days from today raising all his points, and the respondent shall decide the same within 30 days from the date of receipt of the representation, after considering the points raised by the petitioner, in accordance with law. Till the representation of the petitioner is decided, the respondents should not act upon the notice No.231 dated 23-7-2005 Annexure P-6.

With the directions aforesaid, the petition stands disposed of.

In view of this order, M.(W.)P.No.3067/2005 and I.A.No.6945/2005 stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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(पीछे देखिये)